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reasonable rent for the use of the said buildings for the time (if any) the same have been occupied by the United States, and also a suitable indemnity for said buildings themselves; and the receipt of such rent and indemnity shall thereafter bar any further claim by said parties for the use of said buildings or for the value thereof; and before receiving the same, all of said parties shall execute a release to the United States for all right, title and interest whatsover in and to the said property; and any defense, set-off, or counter claim may be pleaded by the United States as defendants, as in cases within the general jurisdiction of the court, and either party shall have the same right of appeal as in such cases.

Approved, January 17, 1887.

CHAP. 22.—An act for the relief of the Greensburgh Limestone Company and others. Jan. 17, 1887.

Greensburgh Limestone Company, W. W. Lowe & Co., and John L. Scanlon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Greensburgh Limestone Company, a corporation duly organized under the laws of the State of Indiana, William W. Lowe, Daniel W. Levett, and Oliver M. Thompson, partners doing business under the firm-name of W. W. Lowe and Company, and John L. Scanlon, being the parties of the second part named in a certain contract in behalf of the United States made by Samuel Hannaford, such contract being one for the delivery of certain stone as therein described for the erection of a custom-house and post-office at Cincinnati, Ohio, and bearing date the twenty-first day of August, eighteen hundred and seventy-four, or the survivors of such parties, are hereby authorized and empowered to bring in the Court of Claims a suit against the Government of the United States, upon the said contract, for the damages by them sustained, in regard to the premises in said contract provided for, by reason of their being required, in the execution of such contract, by the superintendent and others in charge of the construction of the said building, to deliver stone, as is alleged, of sizes and character different from those called for in the said contract, or different from those which they were entitled to deliver thereunder. And the said court is hereby authorized and directed to take jurisdiction in said case, and to render a judgment therein for whatever sum, if anything, shall be shown by the evidence to have been the increased cost, damage, and expense to which the said claimants were subjected by reason of their being required, as aforesaid, to deliver stone different from that provided for in said contract, if the court shall hold that such requirement was not authorized thereby: *Provided*, That such recovery shall in no case be in excess of what shall appear from the said evidence to have been saved to the Government in avoiding loss or waste of stone, in the expense of cutting and fitting the said stone for the structure or structures for which they were designed, as provided in said contract, and in handling and setting such stone in said structure or structures; the claimants in no case to recover for anything that they shall not show to have been done by them not required by the contract, nor for anything that they shall not show to have been saved to the United States in the cost of the building by reason of the departure therefrom. And in the said action each party to the same shall be entitled to give in evidence all competent and relevant testimony already heretofore taken and filed in said court in a certain action, numbered eleven thousand nine hundred and seventy-two, heretofore prosecuted on said contract, and also all other competent and relevant testimony which either party may offer in the case. And each party to the said cause shall be entitled to take an appeal from the judgment of the Court of Claims to the Supreme Court of the United States, as in other cases.

Authorized to bring suit in Court of Claims for alleged damages.

Proviso.
Recovery not to exceed saving to Government.

Approved, January 17, 1887.